

Hon. Richard A. Jones

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

ERIK HAUGAARD, d/b/a Z-Axis  
Product Design, f/d/b/a Haugaard  
Design Services,

Plaintiff,

v.

FISKARS BRANDS, INC., a  
Wisconsin corporation, GEYSER  
VENTURES LLC, an Oregon limited  
liability company, and TOREN  
ORZECK, an individual.

Defendants.

NO. 2:13-cv-01261

STIPULATED MOTION FOR  
EXTENSION OF TIME TO OPPOSE

NOTE ON MOTION CALENDAR:  
December 11, 2013

Stipulated Motion for Extension of Time  
2:13-cv-01261

Matesky Law PLLC  
1001 4<sup>th</sup> Ave., Suite 3200  
Seattle, WA 98154  
Ph: 206.701.0331 Fax: 206.701.0332  
© 2013 Matesky Law

**STIPULATED MOTION FOR EXTENSION OF TIME TO OPPOSE**

Plaintiff Erik Haugaard (“Plaintiff”), with the stipulation of Defendant Toren Orzeck (“Orzeck”) moves the Court for an order extending Plaintiff’s deadline to oppose Orzeck’s Motion to Dismiss (Dkt. No. 16) until January 17, 2014, and extending Orzeck’s deadline to file a reply to any such opposition until January 24, 2014. In light of Plaintiff’s currently upcoming deadline of December 13, 2013, to oppose Orzeck’s Motion to Dismiss, expedited consideration of this motion is requested.

**I. BACKGROUND AND ARGUMENT**

The Complaint (Dkt. No. 1) in this suit was filed on July 17, 2013. Plaintiff served a summons and complaint on Defendant Fiskars Brands, Inc. (“Fiskars”) on August 4, 2013, and Fiskars filed an Answer (Dkt. No. 10) on August 23, 2013. Plaintiff served Defendants Geyser Ventures and Toren Orzeck on August 20, 2013. (*See* Affidavit of Service (Dkt. No. 12), Affidavit of Service (Dkt. No. 13), and Affidavit of Non-Service After Due Diligence (Dkt. No. 14).) Counsel for Plaintiff and counsel for Geyser Ventures and Orzeck subsequently agreed that Orzeck and Geyser Ventures would have until October 1, 2013, to file a responsive pleading. On that date, Geyser filed its Answer, Affirmative Defenses, and Counterclaim (Dkt. No. 15), and Orzeck filed his Motion to Dismiss (Dkt. No. 16) claiming this court lacks personal jurisdiction over him and the Declaration of Toren Orzeck in Support of Motion to Dismiss (Dkt. No. 17).

1 On October 18, 2013, Plaintiff and Orzeck filed a stipulated motion (Dkt. No. 18) for an  
2 extension of time to oppose Orzeck's motion to dismiss, and for leave to take discovery related  
3 to personal jurisdiction. On October 21, 2013, the Court issued an order (Dkt. No. 19) granting  
4 this stipulated motion, giving Plaintiff leave to take jurisdictional discovery, extending Plaintiff's  
5 deadline to oppose Orzeck's motion to dismiss until December 13, 2013, and giving Orzeck until  
6 December 20, 2013 to file a reply to any such opposition.  
7

8 Plaintiff has served requests for production and interrogatories on Orzeck, Orzeck has  
9 provided responses and amended responses thereto, and counsel for Plaintiff and Orzeck have  
10 telephonically met and conferred regarding both the substance of Orzeck's discovery responses  
11 and agreeable dates on which to schedule a deposition of Mr. Orzeck. Despite both parties'  
12 efforts, Plaintiff and Orzeck have been unable to schedule a deposition of Mr. Orzeck prior to  
13 Plaintiff's deadline to oppose Mr. Orzeck's motion to dismiss, due in part to Mr. Orzeck's travel  
14 outside the country. However, counsel for Plaintiff and Orzeck have been able to reach an  
15 agreement regarding deposition scheduling that would allow Plaintiff to file an opposition to Mr.  
16 Orzeck's Motion to Dismiss by January 17, 2014. Accordingly, Plaintiff and Orzeck request that  
17 Plaintiff be given until January 17, 2014 to file any opposition to Orzeck's Motion to Dismiss,  
18 and that Orzeck be given until January 24, 2014 to file any reply thereto.  
19  
20

21 **II. CONCLUSION**

22 For the reasons set forth above, Plaintiff and, Orzeck move the Court for an order  
23 extending Plaintiff's deadline to oppose Orzeck's Motion to Dismiss (Dkt. No. 16) until January  
24  
25

1 17, 2014, and extending Defendant Orzeck's deadline to file a reply to any such opposition until  
2 January 24, 2014.

3  
4 Respectfully submitted this 11<sup>th</sup> day of December, 2013

5  
6 MATESKY LAW<sup>PLLC</sup>

7 /s/ Michael P. Matesky, II

8 Michael P. Matesky, II  
9 (WSBA # 39586)  
10 1001 4<sup>th</sup> Ave., Suite 3200  
11 Seattle, WA 98154  
12 Ph: 206.701.0331  
13 Fax: 206.701.0332  
14 Email: [mike@mateskylaw.com](mailto:mike@mateskylaw.com);  
15 [litigation@mateskylaw.com](mailto:litigation@mateskylaw.com)

16  
17 Attorney for Plaintiff Erik Haugaard

CHENOWETH LAW GROUP, PC

8 /s/ Brian D. Chenoweth

9 Brian D. Chenoweth, WSBA #25877  
10 510 SW Fifth Ave., Fifth Floor  
11 Portland, OR 97204  
12 (503) 221-7958  
13 (503) 221-2182  
14 [brianc@northwestlaw.com](mailto:brianc@northwestlaw.com)

15  
16 Of Attorneys for Toren Orzeck

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system on the date stated below, which will cause the foregoing to be electronically served on all parties of record.

Dated this 11<sup>th</sup> day of December, 2013

/s/ Michael P. Matesky, II  
Michael P. Matesky, II